

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 3-24-03.

### I. DISPUTE

Whether there should be reimbursement for CPT Code 64999.

### II. FINDINGS

1. The requestor billed \$248.00 for the disputed service.
2. The respondent paid \$101.00 based upon "F – The charge for this procedure exceeds the Fee Schedule or usual and customary values as established by INGENEX."
3. Total amount in dispute per TWCC-60 is \$147.00.
4. The insurance carrier filed a timely response to the request for medical dispute resolution. "The insurance carrier contends that reimbursement was issued at our Fair and Reasonable rate for this procedure. No additional money due."

### III. RATIONALE

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
4-15-02	64999	\$248.00	\$101.00	F	DOP	General Instructions GR (III)	Report supports billed service per MFG. Insurance carrier did not deny reimbursement based upon amount billed was not fair and reasonable. Per Rule 133.307(j)(2) the insurance carrier may not raise any new issues. Reimbursement of \$147.00 is recommended.

### IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor is entitled to reimbursement for CPT code (64999) in the amount of **\$ 147.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$147.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 28<sup>th</sup> day of May 2004.

Elizabeth Pickle  
Medical Dispute Resolution Officer  
Medical Review Division